

Appl. No.: 10/664,484
Amdt. Dated: August 26, 2005
Reply to Office Action of: July 29, 2005

REMARKS/ARGUMENTS

I. Restriction and Election

A restriction Requirement has been made in the application. The Examiner asserted that the inventions represented by the following groups of claims may be regarded as independent and distinct from one another because they are all unrelated.

Group I. Claims 1 – 6, drawn to a composition for cleaning optical elements, classified in class 510, subclass 163;

Group II. Claims 7 - 10, drawn to a method of making a single fluoride crystal from a molten state, classified in class 117, subclass 73; and

Group III. Claims 11 – 14, drawn to a composition and method of etching a metal fluoride crystal, classified in class 252, subclass 79.3.

Applicants elect prosecution of the Group I claims 1-6, with traverse with regard to the Group III claims 11-14. The Group II claims 7-10 are withdrawn herein.

In the event the Examiner does not accept the traverse with regard to the Group III claims, the claims of Group III should be deemed withdrawn, with the possibility, as mentioned by the Examiner, that they may be rejoined upon finding an allowable composition among the Group I claims. Applicants reserve the right to file a divisional application with regard to all non-elected/withdrawn claims.

II. The Traverse

The Group I claims are directed to a composition that can be used to clean, etch and dissolve alkaline earth metal fluoride crystals and optical elements made from such crystals. The Group III claims are directed to a method of dissolving a metal fluoride single crystal or fragments thereon. Applicants respectfully traverse the Examiner's Restriction Requirement with regard to the Group III claims on the grounds that the proposed inventions are inextricably intertwined, and prosecution of the proposed groups of claims together would be most effective for the Office. In order to conduct a comprehensive search regarding any one of the groups, including the group provisionally elected above, it would be inherently necessary to review the same pertinent fields and classes of prior art relating to the other groups. Moreover, the important questions of patentability and claim interpretation are likely to be based on substantially similar issues and evaluations for each group of claims, and would require consideration of the same

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prior art, and combined prosecution is therefore less likely to result in inconsistent or conflicting file histories.

The composition of the group I claims can clean, etch and dissolve alkaline earth metal fluorides. The method claimed in the Group III claims is directed to a method of dissolving alkaline earth metal fluorides. In order to examiner either set of claims one must look to composition and/or methods of that would inherently involve dissolving alkaline earth metal fluorides. Recall that the composition of claim 1 includes dissolving an alkaline earth metal fluoride.

Therefore, in view of the foregoing fact and arguments, applicants respectfully submit that it is proper to examiner the claims of Group I and II together, and the Restriction Requirement regarding the Group III claims may properly be withdrawn.

Applicants believe that no extension of time is necessary to make this Response timely. Should Applicants be in error, Applicants respectfully request the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Response timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Walter M. Douglas at 607-974-2431.

26 August 2005
Date

<u>CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8</u>	
I hereby certify that this paper and any papers referred to herein are being transmitted by facsimile to the U.S. Patent and Trademark Office at 571-273-8300 on:	
<i>26 August 2005</i> Date	
<i>Walter M. Douglas</i> Walter M. Douglas	Date

Respectfully submitted,
CORNING INCORPORATED

Walter M. Douglas
Walter M. Douglas
Registration No. 34,510
Corning Incorporated
Patent Department
Mail Stop SP-TI-03-1
Corning, NY 14831
Tel.: (607) 974-2431